

**From:** Gene Elder  
**To:** Microsoft ATR, gelder@mac.com@inetgw  
**Date:** 1/24/02 3:03pm  
**Subject:** Microsoft Settlement

My name is Gene Elder. I disagree with the current proposed settlement issued from Microsoft in its present form. That proposal being the contribution of 60% software, 20% refurbished wintel computers and 20% cash to underprivileged schools (as is my current understanding). This is totally unacceptable seeing as it will only ENCOURAGE Microsoft in monopoly practices. First: the production of software is relatively cheap, even when you include the time for development, the marketing and paying the programmers, Microsoft will only pay a small fraction of the total amount they themselves suggest their software's really worth. Second: The purchasing of refurbished computers will be Microsoft's choice of platform. This platform will have to run Microsoft software and thus propagating Microsoft's stranglehold on another market that the currently dont dominate in, so they will only be strengthening their monopolistic position. Third: the suggestion of 20% cash seems to me to be totally inadequate in the extreme. They should have to pay the full amount in cash and let the schools decide what is best for their technological solutions, that decision belongs to the schools and NOT Microsoft.

I also thing that a breakup into two mini-softs, one for OS, another for applications, may be a good idea, since Microsoft as a combined entity has put to death many good companies that I have no doubt would still be around and thriving were it not for Microsoft buying them out, or taking their market out from underneath them entirely, with force or subversion. Our economy survives on competition and choice, and Microsoft has proven over and over that they do not believe in fair practices involving healthy competition.

I will not claim to be able to suggest an appropriate conclusion, I will leave that to the courts and the honorable judges the preside over said courts. But I must beg that you reconsider accepting ANY resolutions proposed by Microsoft themselves, I don't believe that they have the ability to act fairly in any business dealing. Please make a decision that is fair and unbiased. Let justice prevail in this case, and not money, because Microsoft has so often let their money buy their justice. Please let my faith in true justice prevail.

Gene Elder